

Amendments to Senate Bill No. 334
3rd Reading Copy

Requested by Senator Jennifer Fielder

For the House Fish, Wildlife and Parks Committee

Prepared by Jason Mohr
April 7, 2015 (1:08pm)

1. Title, page 1, line 6.
Strike: "87-1-201, 87-1-207,"
Insert: "87-1-293,"
Following: "87-2-101,"
Insert: "87-2-520,"

2. Title, page 1, line 7.
Following: "87-2-803,"
Insert: "87-3-128,"

3. Page 3, line 19 through page 5, line 27.
Strike: section 5 and 6 in their entirety
Renumber: subsequent sections

4. Page 5.
Following: line 27
Insert: "Section 5. Section 87-1-293, MCA, is amended to read:
"87-1-293. (Temporary) Hunters against hunger -- findings
-- optional donation -- rulemaking. (1) The legislature finds
that:

(a) hunters play a vital role in achieving population
management objectives for big game animals;

(b) the donation of big game animals to charitable or
nonprofit organizations for free distribution to people can help
stop hunger; and

(c) hunters should have the option of donating \$1 or more
above the purchase price for certain licenses toward a program
that would process donated wild game and distribute the meat to
those in need.

(2) A person who applies for or purchases a deer, antelope,
elk, or wild buffalo license may donate \$1 or more in addition to
the price of each license to the hunters against hunger program.

(3) The department shall deposit donations received
pursuant to this section into the hunters against hunger account
established in 87-1-628.

(4) The department shall adopt rules to implement the
provisions of this section, including:

(a) providing the forms necessary for the hunters against

hunger donation option;

(b) regulating the payment of funds from the hunters against hunger account to a nonprofit organization exempt from taxation under 26 U.S.C. 501(c)(3) for the processing of donated or seized big game animals; and

(c) establishing guidelines for the donation of big game animals to a nonprofit organization exempt from taxation under 26 U.S.C. 501(c)(3) that is paid from the hunters against hunger account and for the donation of processed game meat to those in need.

(5) In this section, the definitions in 87-2-101 apply.
(Terminates June 30, 2019--sec. 7, Ch. 83, L. 2013.)"

{Internal References to 87-1-293:

87-1-601x	87-1-628x	87-1-628x	87-1-628x
87-2-903x	87-2-903x	87-2-903x }	

Renumber: subsequent sections

5. Page 7.

Following: line 15

Insert: "Section 7. Section 87-2-520, MCA, is amended to read:

"87-2-520. Supplemental game damage license -- terms and conditions. (1) If at any time the department determines, in conjunction with a landowner or a designated lessee acting as an agent for a landowner, that big game animals on the property are causing a level of damage to crops or other vegetation that merits removal of a specific number of big game animals or that the taking of a specific number of big game animals is advisable for game management purposes, the department may issue nontransferable resident and nonresident supplemental game damage hunting licenses for game management purposes on the property.

(2) Supplemental game damage hunting licenses may be issued only for antlerless animals and may be issued only for use on lands eligible for game damage assistance pursuant to 87-1-225. A landowner may not charge a fee to a hunter using a license obtained pursuant to this section.

(3) Supplemental game damage licenses may be issued to hunters as an alternative to issuing a kill permit to a landowner.

(4) (a) In a hunting district with unlimited license quotas, a landowner may designate the resident supplemental game damage license recipient upon approval of issuance.

(b) In a hunting district with limited permit quotas, a landowner may designate up to 75% of the resident supplemental game damage license recipients, with the remainder of the licenses offered to hunters in a manner prescribed by the department.

(5) If additional supplemental game damage licenses are available, the department may issue those licenses to resident and nonresident hunters.

(6) A licensee shall pay the regular license price or an

adjusted price set by the commission for any supplemental game management license issued pursuant to subsection (1). Issuance of a supplemental game damage license authorizes the licensee to hunt, take, and possess the big game animal designated on the license. All hunting under a supplemental game damage license must be conducted on the property designated on the license and in accordance with department regulations."

{Internal References to 87-2-520: None.}"

6. Page 12.

Following: line 6

Insert: "Section 10. Section 87-3-128, MCA, is amended to read:

"87-3-128. **Exceptions -- department personnel.** The provisions of this chapter relating to methods of herding, driving, capturing, taking, locating, or concentrating of fish, or game animals, game birds, or fur-bearing animals do not apply to the department or to any employee ~~thereof~~ of the department while acting within the scope and course of the powers and duties of the department."

{Internal References to 87-3-128:

87-6-401x }"

Renumber: subsequent sections

7. Page 26, line 23.

Following: "game"

Insert: ", fowl, or fur-bearing"

8. Page 28, line 8.

Strike: "big"

Strike: "game bird, fur-bearing animal,"

9. Page 28, line 9.

Strike: "or birds"

- END -